

By: Noble, Swanson

H.B. No. 4369

Substitute the following for H.B. No. 4369:

By: Swanson

C.S.H.B. No. 4369

A BILL TO BE ENTITLED

1 AN ACT

2 relating to ballots voted by mail.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 87.021, Election Code, is amended to
5 read as follows:

6 Sec. 87.021. BALLOTS AND OTHER MATERIALS DELIVERED TO
7 BOARD. The early voting clerk shall deliver to the early voting
8 ballot board:

9 (1) in an election in which regular paper ballots are
10 used for early voting by personal appearance, each ballot box, in
11 accordance with Section 85.032(b), containing the early voting
12 ballots voted by personal appearance and the clerk's key to each
13 box;

14 (2) the jacket envelopes containing the early voting
15 ballots voted by mail, regardless of the ballot type or voting
16 system used;

17 (3) the poll lists prepared in connection with early
18 voting by personal appearance;

19 (4) the list of registered voters used in conducting
20 early voting; ~~and~~

21 (5) a ballot transmittal form that includes a
22 statement of the number of early voting ballots voted by mail,
23 regardless of the ballot type or voting system used, that are
24 delivered to the early voting ballot board, and in an election in

1 which regular paper ballots are used for early voting by personal
2 appearance, the number of names appearing on the poll lists
3 prepared in connection with early voting by personal appearance;

4 (6) copies of the applications for ballots to be voted
5 by mail for each ballot voted by mail received; and

6 (7) copies of the voter's signature from the voter's
7 application for voter registration.

8 SECTION 2. Subchapter C, Chapter 87, Election Code, is
9 amended by adding Section 87.0405 to read as follows:

10 Sec. 87.0405. REVIEW OF APPLICATION FOR BALLOT TO BE VOTED
11 BY MAIL. Before reviewing a carrier envelope certificate, the
12 early voting ballot board shall review each application for a
13 ballot to be voted by mail that correlates with the carrier envelope
14 to determine if the signature on the ballot application was
15 executed by a person other than the voter, unless the application
16 was signed by a witness. The early voting clerk shall make available
17 for review signatures for each applicant for a ballot to be voted by
18 mail from the previous six years.

19 SECTION 3. Section 87.126, Election Code, is amended to
20 read as follows:

21 Sec. 87.126. ELECTRONIC RECORDING OF CERTAIN [~~BALLOT~~]
22 MATERIALS USED IN EARLY VOTING BY MAIL [~~AND APPLICATIONS~~]. (a) The
23 early voting clerk may electronically record applications for a
24 ballot to be voted by mail, jacket envelopes, the front and back of
25 carrier envelopes, and ballots.

26 (b) The early voting clerk shall have software available to
27 display all electronically available signatures together. The

1 software must be made available for the first election following an
2 update of the software the early voting clerk uses under this
3 section that occurs after September 1, 2021.

4 (c) The secretary of state may adopt rules providing
5 requirements for the electronic image quality and storage of the
6 electronic images of the documents described by this section
7 [~~subsection (a)~~].

8 SECTION 4. This Act takes effect September 1, 2021.